

NOTICE OF MEETING
LONG BEACH CIVIL SERVICE COMMISSION

THE REGULAR MEETING OF THE LONG BEACH CIVIL SERVICE COMMISSION WILL BE HELD ON
WEDNESDAY, OCTOBER 14, 2009, AT 8:00 A.M. IN THE CONFERENCE ROOM OF THE
COMMISSION ON THE 7TH FLOOR OF CITY HALL, 333 WEST OCEAN BOULEVARD, LONG BEACH.

A G E N D A

1. MINUTES

- a. Regular Minutes of September 30, 2009
- b. Regular Minutes of October 7, 2009

2. EXTENSION OF CIVIL SERVICE RULES AND REGULATIONS 115 - EXCEPTION TO THE RULES AND AMENDMENT TO CIVIL SERVICE COMMISSION POLICY 1.80 – EXCEPTION TO THE RULES MAY BE AUTHORIZED

Staff report prepared by Mario R. Beas, Executive Director

3. EXAMINATION RESULTS

Civil Engineering Assistant
Geographic Information Systems Analyst
Traffic Painter

4. EXTENSION OF EXPIRING ELIGIBLE LISTS (6 months)

Animal Health Technician
Office Automation Analyst
Office Systems Analyst

5. RETIREMENTS

Terry Johnson/Principal Building Inspector /Development Services (12 yrs., 4 mos.)
Robert Ward/Plan Checker – Mechanical II/Development Services (29 yrs., 8 mos.)
Alex Demeter/Gas Field Service Representative II/Gas & Oil/ (25 yrs., 4 mos.)
Keith Snow/Gas Field Service Representative II/Gas & Oil (28 yrs., 7 mos.)
Jerry Felix/Gas Maintenance Supervisor I/Gas & Oil (18 yrs., 10 mos.)
Evelyn Johnson/Police Services Specialist II/Police (17 yrs., 6 mos.)
Regina Stevens/Senior Records Clerk/Police (33 yrs., 2 mos.)
Adrianus Tol/Police Sergeant/Police (26 yrs., 4 mos.)
Russell Peterson/Police Officer/Police (27 yrs., 1 mo.)
Doral Eckhardt/Mechanical Equipment Stock Clerk II/Public Works (15 yrs., 1 mo.)
Robert Crowder/Water Utility Mechanic III/Water (33 yrs., 5 mos.)

6. TRANSFERS

Stephanie-Ann Yu/Community Information Specialist II/Parks to Community Information
Specialist II/Community Development
Grace Yoon/Administrative Analyst III/Human Resources to Administrative Analyst III/Financial
Management

7. **RESCHEDULE FOR HEARINGS**

Suspension Appeal 03-R/S-89 – Suggested Dates November 4, 11, 2009

Dismissal Appeal 19-D-78 – Suggested Dates December 2 & 9, 2009

Dismissal Appeal 05-D-89 – Suggested Date December 16, 2009

Dismissal Appeal 06-D-89 – Suggested Dates January 6, 2010

Dismissal Appeal 07-D-89 – Suggested Dates January 13, 20, & 27, 2010

8. **MANAGERS' REPORT**

9. **NEW BUSINESS**

10. **COMMENTS FROM PUBLIC** – The Civil Service Commission will hear from members of the public on matters within the Commission's jurisdiction.

NO HEARING

THIS INFORMATION IS AVAILABLE IN AN ALTERNATIVE FORMAT BY REQUEST TO CIVIL SERVICE AT (562) 570-6059.

"THE CITY OF LONG BEACH INTENDS TO PROVIDE REASONABLE ACCOMMODATIONS IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990. IF A SPECIAL ACCOMMODATION IS DESIRED, PLEASE CALL CIVIL SERVICE 48 HOURS PRIOR TO THE EVENT/PROGRAM/SERVICE AT (562) 570-6059".

**LONG BEACH CIVIL SERVICE COMMISSION
MARY ISLAS, PRESIDENT
SEPTEMBER 30, 2009**

The regular meeting of the Civil Service Commission was held at 8:00 a.m., Wednesday, September 30, 2009, in the Board Room of the Commission, 333 West Ocean Boulevard, Seventh Floor, Long Beach, California.

MEMBERS PRESENT: Mary Islas, F. Phil Infelise, Ahmed Saafir, Douglas Haubert

MEMBER EXCUSED: Jeanne Karatsu

OTHERS PRESENT: Mario R. Beas, Executive Director & Secretary
Melinda George, Deputy Director
Diane Dzodin, Administrative Officer
Marilyn Hall, Executive Assistant
Salvador Ambriz, Personnel Analyst
Caprice McDonald, Personnel Analyst
Donna de Araujo, Assistant Administrative Analyst
Ken Walker, Personnel Operations Manager, Human Resources

President Mary Islas presided.

The Secretary informed the Commission that Chief Anthony Batts was able to attend today's Commission meeting due to a cancellation on his schedule. He provided the Commission with his employment history with the City. President Islas thanked Chief Batts for coming, and acknowledged his outstanding service to the City and citizens of Long Beach. The Secretary made a presentation to Chief Batts on behalf of the Commission. The Secretary also made a presentation on behalf of the Civil Service Department. Chief Batts thanked the Commission and staff for the acknowledgement and expressed his gratitude and support of the Commission and Civil Service Department for the exceptional service they provided to the City of Long Beach.

MINUTES: It was moved by Commissioner Saafir, seconded by Commissioner Infelise and carried that the minutes of the regular meeting of September 23, 2009, be approved as prepared. The motion carried by a unanimous roll call vote. Commissioner Haubert was not present during the vote.

PROVISIONAL APPOINTMENTS: The Secretary presented a communication from Dennis J. Thys, Director of Community Development, requesting Commission authorization to appoint La Trussel Williams, Perry Daniel and Carmen Quezada, to the classification of Housing Specialists on a provisional basis. In addition, the Secretary presented a staff report prepared by Donna

deAraujo, Assistant Administrative Analyst. After discussion, it was moved by Commissioner Infelise, seconded by Commissioner Saafir and carried that the request be granted in accordance with Civil Service Commission Policy 1.02 and Section 43 of the Civil Service Rules and Regulations. The motion carried by a unanimous roll call vote. Commissioner Haubert was not present during the vote.

**REQUEST FOR TEMPORARY
REASSIGNMENT FOR
TRAINING:**

**CHERYL DAVIS/CLERK TYPIST TO ENGINEERING
TECHNICIAN**

The Secretary presented a communication from Cynthia Stafford, Personnel Services Officer, Public Works, requesting Commission authorization to temporarily reassign Cheryl Davis, Clerk Typist to the classification of Engineering Technician for training. In addition, the Secretary presented a staff report prepared by Sal Ambriz, Personnel Analyst. After discussion, it was moved by Commissioner Saafir, seconded by Commissioner Infelise and carried that the request for reassignment for training be approved, pursuant to Section 63(3) of the Civil Service Rules and Regulations. The motion carried by a unanimous roll call vote.

**REQUEST FOR EXCEPTION
TO CIVIL SERVICE RULES AND
REGULATIONS SECTION 115(3):**

ASSISTANT ADMINISTRATIVE ANALYST

The Secretary presented a staff report, prepared by him, requesting Commission approval to an exception to Article II, Section 7 of the Civil Service Rules and Regulations – Qualifications and Requirements, in accordance with Article VIII, Section 115(3) of the Civil Service Rules and Regulations, to approve the upcoming selection process for Assistant Administrative Analyst as an open-competitive examination, but limit the candidate pool to current City employees. The Secretary briefed the Commission regarding the request to conduct the examination open-competitive to City employees rather than open competitive. Commissioner Haubert suggested that a description of the exception to the rule be identified on the public agenda when a request for the exception to Civil Service Rules and Regulations Section 115(3) is made to the Commission. After discussion, it was moved by Commissioner Saafir, seconded by Commissioner Haubert and carried to approve the Exception to Civil Service Rules and Regulations Section 115(3), Article II, Section 7 – Qualifications and

Requirements. The motion carried by a unanimous roll call vote.

**REQUEST FOR PERMANENT
ASSIGNMENT IN LIEU OF
LAYOFF:**

**JAMES RUGGIRELLO, CULTURAL PROGRAM
SUPERVISOR TO COMMUNITY SERVICES SUPERVISOR**

The Secretary presented a communication from Suzanne Mason, Director of Human Resources, requesting Commission approval to permanently assign James Ruggirello, Cultural Program Supervisor to Community Services Supervisor, Parks, Recreation & Marine, to avoid layoff. In addition, the Secretary presented a staff report prepared by Donna deAraujo, Assistant Administrative Analyst. The Secretary briefed the Commission regarding this request. Ken Campbell, Superintendent, Personnel & Training, Parks, Recreation & Marine, answered Commission questions. After discussion, it was moved by Commissioner Infelise, seconded by Commissioner Saafir and carried to approve the permanent assignment in lieu of layoff pursuant to Sections 67(5) of the Civil Service Rules and Regulations. The motion carried by a unanimous roll call vote.

EMERGENCY ITEM:

The Secretary requested the Commission consider a request for order of layoff, received on Monday, September 28, 2009, as an emergency item, pursuant to Government Code 54956.5. It was moved by Commissioner Haubert, seconded by Commissioner Infelise and carried to add the request for order of layoff as emergency item #5(a). The motion carried by a unanimous roll call vote.

ORDER OF LAYOFF:

The Secretary presented an order of layoff from Patrick H. West, City Manager for the classification of Public Health Professional (Selective Certification – Role of Men Program Supervisor). In addition, the Secretary presented a staff report prepared by Diane Dzodin, Administrative Office. Ms. Dzodin briefed the Commission, stating that on July 15, 2009, the Commission approved an order of layoff for this position to be reduced from full-time to part-time status. However, she stated that this request is to completely eliminate the position due to lack of funding. Roberto Uranga, Personnel Services Officer, and Theresa Marino, Manager – Community Health Bureau, Health & Human Services answered Commission questions regarding this request. After discussion, it was moved by Commissioner Haubert, seconded by Commissioner Infelise and carried to

approve the order of layoff. The motion carried by the following roll call vote:

AYE: Douglas Haubert
F. Phil Infelise
Mary Islas

NAY: Ahmed Saafir

BULLETIN:

ASSISTANT ADMINISTRATIVE ANALYST

It was moved by Commissioner Infelise, seconded by Commissioner Saafir and carried that the subject Job Opportunity Bulletin be approved. The motion carried by a unanimous roll call vote.

EXAMINATION RESULTS:

**CIVIL ENGINEERING ASSISTANT – 84 Applied,
79 Qualified**

It was moved by Commissioner Saafir, seconded by Commissioner Infelise and carried that the subject examination results be approved. The motion carried by a unanimous roll call vote.

**EXTENSION OF EXPIRING
ELIGIBLE LISTS:**

It was moved by Commissioner Infelise, seconded by Commissioner Haubert and carried that the following eligible lists be extended for an additional six months. The motion carried by a unanimous roll call vote.

Animal Control Officer
Aquatics Supervisor
Civil Engineer (10/8/08, 4/8/09, 4/29/09)
Helicopter Mechanic
Senior Civil Engineer (10/8/08)
Supervisor Stores & Property
Water Treatment Operator (4/8/09, 4/15/09)

RETIREMENTS:

It was moved by Commissioner Infelise, seconded by Commissioner Saafir and carried that the following retirements be received and filed. The motion carried by a unanimous roll call vote.

Eugene Roston/General Maintenance Assistant/Harbor
Terence Murray/Principal Construction Inspector/Harbor
Aubrey Neal/Principal Construction Inspector/Harbor

TRANSFER:

**ASHLEY ATKINSON/ADMINISTRATIVE ANALYST
III/COMMUNITY DEVELOPMENT/TO ADMINISTRATIVE
ANALYST III/DEVELOPMENT SERVICES**

It was moved by Commissioner Haubert, seconded by Commissioner Saafir and carried that the subject transfer between departments be approved. The motion carried by a unanimous roll call vote.

SCHEDULE FOR HEARINGS:

It was moved by Commissioner Saafir, seconded by Commissioner Haubert and carried that the following hearing schedule be approved. The motion carried by a unanimous roll call vote.

Reduction/Suspension Appeal 03-R/S-89, 11/4 & 11, 2009
Dismissal Appeal 05-D-89, 12/2 & 9, 2009
Dismissal Appeal 06-D-89, 12/16, 2009
Dismissal Appeal 07-D-89, 1/6, 13, & 20, 2010

MANAGERS' REPORT:

Diane Dzodin, Administrative Officer provided copies of the last CSI Long Beach Newsletter for fiscal year 08/09, to the Commission.

Melinda George, Deputy Director, stated that the District 5 picnic on Saturday was very successful. She also thanked Civil Service Department for participating and Caprice McDonald, Personnel Analyst, for making the arrangements and Rob Pfingsthorn, Personnel Analyst, for setting up for staff.

The Secretary thanked Marilyn Hall, Executive Assistant for getting the presentation for Chief Anthony Batts. He also thanked Diane Dzodin, Administrative Officer for preparing the order of layoff emergency item for today's agenda. He also thanked staff for participating in the City Council District 5 picnic on Saturday, September 26, 2009.

COMMENTS FROM PUBLIC:

Beverly Nieves, Personnel Analyst, Human Resources, thanked staff for handling the request for permanent assignment in lieu of layoff so quickly to avoid layoff of the individual affected. She also informed the Commission that several City employees laid off within the last two weeks are eligible to participate in the Assistant Administrative Analyst examination. However, because they are not current City employees, she requested that they be allowed to participate in the examination.

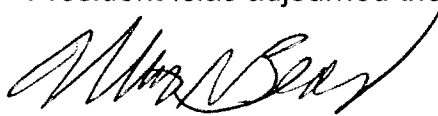
As a result of her comments, it was discussed allowing any City employee laid off this fiscal year due to the City's budget be allowed to participate in the Assistant Administrative Analyst examination.

Commissioner Saafir questioned how would those City employees who have been laid off earlier be notified of the position and them being able to file an application. The Secretary informed the Commission that the Civil Service Department, along with Human Resources would ensure that they are notified.

Commissioner Haubert suggested adding language to the current exception to the rule to include allowing a person who was employed by the City and laid off within a certain time be eligible to participate in an examination limited to City employees only.

ADJOURNMENT:

There being no further business before the Commission, President Islas adjourned the meeting.

A handwritten signature in black ink, appearing to read 'Mario R. Beas', with a stylized flourish at the end.

MARIO R. BEAS
Secretary

MRB:meh

LONG BEACH CIVIL SERVICE COMMISSION
MARY ISLAS, PRESIDENT
October 7, 2009

The regular meeting of the Civil Service Commission was held at 8:30 a.m., Wednesday, October 7, 2009, in the Board Room of the Harbor Commission, 925 Harbor Plaza, Long Beach, California.

MEMBERS PRESENT: Ahmed Saafir, Jeanne Karatsu, Douglas Haubert

MEMBERS EXCUSED: Mary Islas, F. Phil Infelise

OTHERS PRESENT: Mario R. Beas, Executive Director & Secretary
Melinda George, Deputy Director
Diane Dzodin, Administrative Officer
Marilyn Hall, Executive Assistant
Salvador Ambriz, Personnel Analyst
Caprice McDonald, Personnel Analyst
Robert Pfingsthorn, Personnel Analyst
Lourdes Ferrer, Personnel Analyst
Donna de Araujo, Assistant Administrative Analyst
Ken Walker, Personnel Operations Manager, Human Resources

Commissioner Ahmed Saafir, Acting President presided.

On behalf of Richard Steinke, Executive Director and Lisa Marin, Director of Human Resources, Stacey Lewis, Assistant Director of Human Resources, welcomed the Commission to the Harbor Department.

MINUTES: This item was held over to the next meeting due to lack of Commissioners present to approve the minutes.

REQUEST FOR SELECTIVE CERTIFICATION: The Secretary presented a communication from Cynthia Stafford, Personnel Services Officer, Public Works, requesting Commission authorization for the selective certification of individuals with towing operations experience from the Garage Service Attendant eligible list. In addition, the Secretary presented a staff report prepared by Rob Pfingsthorn, Personnel Analyst. Mr. Pfingsthorn briefed the Commission regarding this request. After discussion, it was moved by Commissioner Karatsu, seconded by Commissioner Haybert and carried that the request be approved, pursuant to Section 28 of the Civil Service Rules and Regulations. The motion carried by a unanimous roll call vote.

**REQUEST TO EXTEND
NON-CAREER APPOINTMENTS:**

**EKATERINA GARCIA AND NIDRAH WATTS
ADMINISTRATIVE INTERNS**

The Secretary presented a communication from Lisa Marin, Director of Human Resources, Harbor, requesting Commission approval to extend the non-career appointments for Ekaterina Garcia and Nidrah Watts, Administrative Interns for 500 hours. In addition, the Secretary presented a staff report prepared by Donna deAraujo, Assistant Administrative Analyst. After discussion, it was moved by Commissioner Haubert, seconded by Commissioner Karatsu and carried that the request to extend non-career hours be approved in accordance with Section 49 of the Civil Service Rules and Regulations. The motion carried unanimously.

**REQUEST FOR EXCEPTION TO
CIVIL SERVICE RULES AND
REGULATIONS – ARTICLE VIII
SECTION 115(3)**

**Requesting Exception to Article II, Section 7 of the Civil
Service Rules and Regulations – Qualifications and
Requirements for General Maintenance Assistant,
Limiting Applications to City Employees and Laid Off
City Employees**

The Secretary presented a staff report, prepared by him, requesting Commission approval for an exception to Article II, Section 7 of the Civil Service Rules and Regulations – Qualification and Requirements, for General Maintenance Assistant, as an open-competitive examination, limiting applications to City employees and City employees terminated due to layoffs in 2009. The Secretary briefed the Commission regarding this request. After discussion, it was moved by Commissioner Haubert, seconded by Commissioner Karatsu and carried to approve the Exception to Civil Service Rules and Regulations, Section 115(3), Article II, Section 7 – Qualifications and Requirements. The motion carried by a unanimous roll call vote.

**REQUEST FOR AMENDMENT TO
REQUEST – EXCEPTIONS TO
RULES MAY BE AUTHORIZED –
ARTICLE VIII, SECTION 115(3)
CIVIL SERVICE RULES AND
REGULATIONS:**

**Requesting Exception to Article II, Section 7 of the Civil
Service Rules and Regulations – Qualifications and
Requirements for Assistant Administrative Analyst,
Limiting Applications to City Employees and Laid Off
City Employees**

The Secretary presented a staff report, prepared by him, requesting Commission approval to an amendment to his request of September 30, 2009, Exception to Article II, Section 7 of the Civil Service Rules and Regulations –

Qualifications and Requirements for the Assistant Administrative Analyst examination process to be conducted as an open-competitive examination, limiting the applicant pool to City employees, to include City employees terminated due to layoffs in 2009. The motion carried by a unanimous roll call vote.

BULLETIN:

GENERAL MAINTENANCE ASSISTANT

Commissioner Haubert requested that for clarification, recent reduction in force be amended to reduction in force in 2009. After discussion, it was moved by Commissioner Haubert, seconded by Commissioner Karatsu and carried that the subject Job Opportunity Bulletin be approved. The motion carried by a unanimous roll call vote.

EXAMINATION RESULTS:

It was moved by Commissioner Karatsu, seconded by Commissioner Haubert and carried that the following examination results be approved. The motion carried by a unanimous roll call vote.

Civil Engineering Assistant – 69 Applied, 59 Qualified
Control Center Operator – 410 Applied, 77 Qualified

**EXTENSION OF EXPIRING
ELIGIBLE LISTS:**

It was moved by Commissioner Karatsu, seconded by Commissioner Haubert and carried that the following eligible lists be extended for an additional six months. The motion carried by a unanimous roll call vote.

Building Maintenance Engineer
Business Systems Specialist
Capital Projects Coordinator
Civil Engineering Assistant (10/15/08)

RETIREMENTS:

It was moved by Commissioner Karatsu, seconded by Commissioner Haubert and carried that the following retirements be received and filed. The motion carried by a unanimous roll call vote.

Lawrence Fortenberry/Housing Specialist II/Community
Development
Gregory Berg/Clerk Typist III/Public Works

TRANSFER:

**GARETT POTTER/MAINTENANCE ASSISTANT I/HEALTH
TO MAINTENANCE ASSISTANT I/PARKS**

It was moved by Commissioner Haubert, seconded by Commissioner Karatsu and carried that the subject transfer between departments be approved. The motion carried by a unanimous roll call vote.

RESCHEDULE FOR HEARINGS:

The Secretary requested that the Commission hold this item for one week. It was moved by Commissioner Karatsu, seconded by Commissioner Haubert and carried to hold this item for one week. The motion carried by a unanimous roll call vote.

MANAGERS' REPORT:

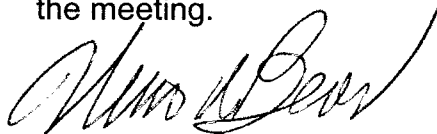
Diane Dzodin, Administrative Officer, thanked the Harbor Department for hosting the meeting and stated that her career with the City began in the Harbor Department.

Melinda George, Deputy Director, informed the Commission that she attended the WRIPAC 30th Year Anniversary Conference last week, which was held at the Renaissance Hotel in Long Beach, and hosted by Ana Aguilar, Past President and former Civil Service Department employee. She also acknowledged Rob Pfingsthorn and Lourdes Ferrer, Personnel Analysts, for their excellent work on the Control Center Operator examination. She stated that the Civil Service Department collaborated with the Harbor Department on this examination.

The Secretary thanked Richard Steinke, Executive Director, Lisa Marin, Director of Human Resources, and Stacey Lewis, Assistant Director of Human Resources, Harbor Department for hosting the Commission meeting.


ADJOURNMENT:

There being no further business before the Commission, Commissioner Ahmed Saafir, Acting President, adjourned the meeting.



MARIO R. BEAS
Secretary

MRB:meh

1 **DATE:** October 14, 2009
2 **TO:** Civil Service Commission
3 **FROM:** Mario R. Beas,  Executive Director
4 **SUBJECT:** REQUEST TO EXTEND ARTICLE VIII, SECTION 115(3) OF THE CIVIL
5 SERVICE RULES AND REGULATIONS AND AMEND CIVIL SERVICE
6 COMMISSION POLICY 1.80

7 On April 8, 2009, in response to a request from the City Manager, the Civil Service
8 Commission approved an amendment to the Civil Services Rules and Regulations,
9 Article VIII, Section 115, *Exceptions to the Rules May Be Authorized*. The amendment
10 was forwarded to the City Council, approved and subsequently adopted on April 21,
11 2009. The amendment broadened the Commission's authority to make exceptions to
12 the Civil Service Rules and Regulations.

13 Section 115(3). *Further, the Commission may authorize an exception to its*
14 *rules, if such exception is consistent with the mandate of Article XI of the*
15 *City Charter and if in the opinion of the Commission, the best interest of the*
16 *City would be served. This subsection shall expire six months after the*
17 *date City Council adopts this rule unless extended by Commission action.*

18 On April 29, 2009, the Commission approved Civil Service Commission Policy 1.80,
19 which outlines the procedures for submission, consideration and approval of requests
20 for exceptions to the Civil Service Rules and Regulations.

21 **Update - Requests for Exceptions to the Rules**

22 The following information is provided for the Commission's consideration.

23 Article IV, Section 27:

- 24 • The Commission considered two separate requests, in accordance with Section
25 115(3), from Patrick H. West, City Manager, on May 27, 2009. The requests were
for an exception to Section 27, *Certification From Open Eligible Lists*, for the

1 Financial Management Department (Customer Service Representative) and the
2 Public Works Department (Parking Control Checker). It was requested that each
3 department be certified all City employees, including non-career, temporary
4 employees, on the eligible lists for their respective classifications. The Commission
5 did not approve the request as submitted, however, the Commission did approve
6 certification of all permanent City employees on the Customer Service
7 Representative eligible list for the Financial Management Department and the
8 Parking Control Checker eligible list for the Public Works Department.

- 9 • To date, the Financial Management Department offered interviews to the four
10 current permanent City employees who were certified, two employees were
11 interviewed and no Customer Service Representative selection has been made.
12 The Public Works Department has made one selection of the four current
13 permanent City employees who were certified from the Parking Control Checker
14 eligible list.

15 Article II, Section 7:

- 16 • On June 17, 2009, staff requested an exception to Article II, Section 7,
17 *Qualifications and Requirements*, to limit applications for the Equipment Operator
18 job opportunity to current City employees. The Commission approved the request.
19 Twenty City employees were accepted to participate in the examination process
20 and 13 qualified. The Equipment Operator eligible list was certified to the Harbor,
21 Long Beach Airport, and Parks, Recreation and Marine Departments on September
22 4, 2009. At the present time, the Harbor Department has begun the selection
23 process. The Long Beach Airport and the Parks, Recreation and Marine
24 Department have each made a selection.

- 1 • Staff requested subsequent exceptions to Article II, Section 7, to limit applications
2 to current City employees for the job opportunities of Traffic Painter, Civil
3 Engineering Associate, Assistant Administrative Analyst and General Maintenance
4 Assistant.
- 5 • The Commission approved the requests for Traffic Painter on August 19, 2009 and
6 Civil Engineering Associate on September 9, 2009. Five City employees were
7 accepted into the examination process for Traffic Painter and participated in the
8 performance examination on October 8, 2009. Civil Service Department staff is
9 currently evaluating applications for Civil Engineering Associate to determine which
10 candidates will continue in the examination process.
- 11 • On October 7, 2009, staff requested that the Assistant Administrative Analyst and
12 General Maintenance Assistant job opportunities be limited to City employees with
13 the inclusion of employees terminated due to layoff in 2009 and employees on
14 active Civil Service priority lists. The Commission approved the requests and, at
15 the present time, applications are being accepted for both of these job
16 opportunities.

17 **Recommendations:**

18 Article VIII, Section 115(3):

19 Subsequent to its adoption, Section 115 (3) has been utilized by both the City Manager
20 and the Civil Service Department to aid departments in hiring existing City employees.
21 Section 115(3) will expire on October 20, 2009. Because of the continuation of the
22 City's challenging financial situation and the City Manager's direction to his
23 departments to hire City employees for some positions, it is recommended that the
24 Commission extend Section 115(3) until September 30, 2010. The City Manager and
25 the other City appointing authorities support this recommendation.

1 Civil Service Commission Policy 1.80

2 In compliance with the Commission's approval to include former permanent City
3 employees who were terminated due to layoff in calendar year 2009 and former
4 classified City employees on active Civil Service priority lists, Policy 1.80 has been
5 amended to include the following:

6 *Effective October 14, 2009, if a request for exception to Civil Service Rules*
7 *and Regulations, Section 7 – Qualifications and Requirements, is approved*
8 *that would limit the applicant pool to City employees, the Commission has*
9 *determined that the best interest of the City would be served by*
10 *designating that the applicant pool be limited to:*

- 11 1) *Current City employees.*
- 12 2) *Former classified City employees who were terminated due to layoff*
13 *after January 1, 2009.*
- 14 3) *Former classified City employees on an active Civil Service priority*
15 *list.*
- 16 4) *Former unclassified City employees identified by the Human*
17 *Resources Department as terminated by the City's reduction in*
18 *force after January 1, 2009.*

19
20 Commission approval of this amendment to Policy 1.80 will provide consistency for all
21 requests for exceptions to Article II, Section 7, to limit applications to current City
22 employees and former employees in the above categories.

23
24 Staff is available to answer any questions.
25

CIVIL SERVICE COMMISSION POLICY

SUBJECT: Exceptions to the Rules May be Authorized	FILED UNDER:	ITEM NO: 1.80 PAGE 1 of 2
APPROVED BY: _____	EFFECTIVE DATE:	
AUTHORIZED SIGNATURE		
NOTES:		

Pursuant to Section 115, subsection (3) of the Civil Service Rules and Regulations, "the Commission may authorize an exception to its rules, if such exception is consistent with the mandate of Article XI of the City Charter and if, in the opinion of the Commission, the best interest of the City would be served."

PURPOSE:

To establish guidelines, which will be used to evaluate requests for exceptions to the Civil Service Rules and Regulations under the auspices of Section 115(3).

POLICY:

The Civil Service Commission shall consider requests for exceptions to the Civil Service Rules and Regulations that meet the following criteria:

A memorandum to the Civil Service Commission from the appointing authority that specifies:

- 1) The purpose of the request.
- 2) The applicable section and subsection of the Civil Service Rules and Regulations for which the exception is requested.
- 3) A clear statement explaining how the best interest of the City would be served by the exception to the rule.
- 4) Why the City's best interest is not being served by current Civil Service Rules and Regulations.

The Civil Service Commission may require and consider any documents deemed necessary to support their final decision. The Civil Service Commission may modify or amend a request to ensure that the implementation of the request is in the best interest of the City.

Effective October 14, 2009, if a request for exception to Civil Service Rules and Regulations, Section 7 – Qualifications and Requirements, is approved that would limit the applicant pool to City employees, the Commission has determined that the best interest of the City would be served by designating that the applicant pool be limited to:

- 1) *Current City employees.*
- 2) *Former classified City employees who were terminated due to layoff after January 1, 2009.*
- 3) *Former classified City employees on an active Civil Service priority list.*
- 4) *Former unclassified City employees identified by the Human Resources Department as terminated by the City's reduction in force after January 1, 2009.*

The Civil Service Commission shall consider each request on a case-by-case basis.

The Civil Service Commission shall direct Civil Service Department staff to monitor each authorized exception to the Civil Service Rules and Regulations and submit a report of its findings to the Civil Service Commission.

The Civil Service Commission may rescind its authorization of any exception to the Civil Service Rules and Regulations upon the determination that its action is no longer in the best interest of the City.

Section 115(3) shall expire on October 20, 2009 unless extended by the Commission.

CURRENT

EXCEPTIONS TO RULES MAY BE AUTHORIZED

Sec. 115. At the request of an appointing authority, the Commission may authorize exceptions to its Rules when required to implement the terms of a proposed settlement of claims brought before a court of competent jurisdiction or other agency of government charged with protecting the employee or applicant against discrimination if, in the opinion of the Commission, the best interests of the City would be served by doing so. At the request of the City Council, the Commission shall authorize whatever exception to its rules as may be required to implement the settlement of claims authorized by the City Council.

PROPOSED

EXCEPTIONS TO RULES MAY BE AUTHORIZED

Sec. 115. Exceptions to the Civil Service Rules and Regulations may be made as follows:

- (1) At the request of an appointing authority, the Commission may authorize exceptions to its Rules when required to implement the terms of a proposed settlement of claims brought before a court of competent jurisdiction or other agency of government charged with protecting the employee or applicant against discrimination if, in the opinion of the Commission, the best interests of the City would be served by doing so.
- (2) At the request of the City Council, the Commission shall authorize whatever exception to its rules as may be required to implement the settlement of claims authorized by the City Council.
- (3) Further, the Commission may authorize an exception to its rules, if such exception is consistent with the mandate of Article XI of the City Charter and if, in the opinion of the Commission, the best interest of the City would be served. This subsection shall expire six months after the date City Council adopts this rule unless extended by Commission action.